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ATTORNEY AT LAW

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AZ CORP COMMISSION  
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ADMITTED TO PRACTICE IN:  
ARIZONA, COLORADO, MONTANA,  
NEVADA, TEXAS, WYOMING,  
DISTRICT OF COLUMBIA

January 19, 2007

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

Re: Empirita Water Company  
Docket No. W-03948A-06-0490

To Whom It May Concern:

Enclosed for re-filing in the above-referenced proceeding and distribution as appropriate are fourteen (14) copies of a January 12, 2007 letter from Lawrence V. Robertson, Jr. to Douglas W. Dunham of the Arizona Department of Water Resources.

The original filing failed to contain the docket numbers on each copy. If there are any other requirements in which we have failed to meet, please let me know. The office phone number is (520) 398-0411. Thank you.

Sincerely,

Angela R. Trujillo  
Secretary

Lawrence V. Robertson, Jr.

Arizona Corporation Commission  
DOCKETED

JAN 23 2007

DOCKETED BY	NR
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ADMITTED TO PRACTICE IN:  
ARIZONA, COLORADO, MONTANA,  
NEVADA, TEXAS, WYOMING,  
DISTRICT OF COLUMBIA

January 12, 2007

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

Re: Empirita Water Company  
Docket No. W-03948A-06-0490

To Whom It May Concern:

Enclosed for filing in the above-referenced proceeding and distribution as appropriate are fourteen (14) copies of a January 12, 2007 letter from me to Douglas W. Dunham of the Arizona Department of Water Resources. The subject matter discussed in my letter to Mr. Dunham is related to matters currently under consideration in the above-referenced proceeding, and thus I believe it is appropriate that a copy of my correspondence to him be included in the Commission's public records.

Also enclosed are two (2) additional copies of the letter. I would appreciate it if you would "filed" stamp the same and return them to me in the enclosed stamped and addressed envelope. Thank you for your assistance. Please advise me if you have any questions.

Sincerely,

*Lawrence V. Robertson, Jr.*  
Lawrence V. Robertson, Jr.

CC: Hon. Jane L. Rodda-ACC Hearing Division  
Robin Mitchell-ACC Legal Division  
Mary McCool-Intervenor  
Douglas W. Dunham-ADWR  
Alan Dulaney-ADWR  
Empirita Water Company

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ADMITTED TO PRACTICE IN:  
ARIZONA, COLORADO, MONTANA,  
NEVADA, TEXAS, WYOMING,  
DISTRICT OF COLUMBIA

January 12, 2007

Douglas W. Dunham, Manager  
Office of Assured and Adequate Water Supply  
Arizona Department of Water Resources  
3550 North Central Avenue  
Phoenix, Arizona 85012

Re: Application for a Designation of Adequate Water Supply  
Empirita Water Company (DWR #21-402251.0000)  
Completeness Review

Dear Mr. Dunham:

The purpose of this letter is to advise you that the hearing before the Arizona Corporation Commission on Empirita Water Company's Application for an order extending the boundaries of its CC&N was conducted and completed yesterday in Tucson. Administrative Law Judge Jane Rodda conducted the hearing, and it is she who will be preparing a recommended Opinion and Order for consideration by the Arizona Corporation Commission at a future Open Meeting. In that regard, the Arizona Corporation Commission Staff has recommended approval of the water company's request.

A copy of your October 24, 2006 letter to James Vermilyea of Empirita Water Company on the above-referenced subject was received into evidence during the hearing as Exhibit A-12. In addition, copies of the November 7, 2006, November 13, 2006, and November 20, 2006 exchange of correspondence between you and me on the above-referenced subject were also received into evidence as Exhibit A-13.

As a consequence of the above, Judge Rodda and the parties are aware of the fact that the Arizona Department of Water Resources is desirous of receiving written proof of (i) the Arizona Corporation Commission's decision on the water company's request for an order extending its CC&N and (ii) the Arizona Department of Environmental Quality's issuance of an Approval Of Construction for the Redhawk I facilities no later than March 12, 2007. In that regard, Jason Mercer of Morrison-Maierle, Inc. testified that he has been in ongoing communication with the Arizona Department of Environmental Quality, and it is his current anticipation that an Approval of Construction for the Redhawk I facilities will be issued some time during mid-February 2007.

Douglas W. Dunham  
January 12, 2007  
Page 2 of 2

As of this juncture, it would appear that the Arizona Corporation Commission will not have an opportunity to consider the recommended Opinion and Order to be prepared by Judge Rodda prior to the Commission's Regular Open Meeting in mid-February 2007. The Commission's Open Meeting for January is scheduled for next Tuesday and Wednesday, January 16 and 17, 2007, and, needless to say, Judge Rodda will not have an opportunity to review the hearing transcript and prepare her recommendations prior to that point in time. I know that Judge Rodda has a heavy hearing schedule during the remainder of this month and a portion of February, but it is our hope that she will be able to prepare her recommended Opinion and Order in time for it to be considered at the mid-February 2007 Regular Open Meeting.

I will continue to keep you advised of developments regarding these matters as I become aware of them. Please let me know if you have any questions regarding the above.

Sincerely,



Lawrence V. Robertson, Jr.

CC: Alan Dulaney  
Jim Vermilyea  
Chuck Dickens  
Jason Mercer